

## REMARKS

Reconsideration of this application is respectfully requested.

### Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 8, 10-12, 14, and 123-124 under 35 U.S.C. § 102(a) as being anticipated by Matsumoto, et al. (US 5,726,479).

Applicant respectfully disagrees. The gate electrode of Applicant's claimed invention is not anticipated by Matsumoto et al.

Matsumoto et al. discloses a gate electrode that has thick second spacers (7a) which do not have a uniform width throughout its height (see Figures 8 and 18). Instead, the thick second spacers (7a) have a stepped profile, in contrast with the limitation of claim 8 that the thick second spacers, each have "a uniform width throughout its height." Failure to maintain a uniform width throughout the height of the thick second spacers would detrimentally affect (a) the implant profile of the lightly doped drain (LDD) below the sidewall structure, (b) the full separation between the salicide over the gate and the salicide over the source and drain necessary to prevent bridging and shorting, and (c) the integrity of the gate electrode as supported by the sidewall structure.

### Rejections Under 35 U.S.C. § 103

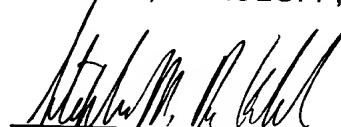
The Examiner has rejected claims 125-128 under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto, et al. Applicant respectfully disagrees, and submits that since claims 125-128 depend on claim 8, and Matsumoto et al. does not teach or suggest all limitations of claim 8, as argued above, claims 125-128 cannot be obvious in view of Matsumoto et al.

On account of the foregoing, it is respectfully submitted that Matsumoto et al. does not teach or suggest every element of claim 8. Accordingly, claim 8 cannot be anticipated by Matsumoto et al. given that claims 10-128 depend from claim 8, it is respectfully submitted that these claims are also not anticipated by Matsumoto et al.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



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Stephen M. De Klerk  
Reg. No. 46,503

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Customer No. 008791  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(408) 720-8300